

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mizhou Hui Art Unit : 1646
Serial No. : 10/576,995 Examiner : Landsman Roberts
Filed : October 4, 2006 Conf. No. : 7230
Title : A Novel Chimeric Polypeptide And Use Thereof

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement dated February 23, 2009, Applicant elects, with traverse, for prosecution the invention of Group I, i.e., claims 1-17, 19-21, and 25-26, drawn to a chimeric polypeptide, encoding polynucleotide, vector, host cell, method of making polypeptide, and method of treating using the polypeptide. Applicant further elects species (1), i.e., TNF neutralizer domain of TNF or IL-6. Claims 1, 2, 6-17, 19-21, 25, and 26 encompass the elected species.

Applicant respectfully requests that Group II, i.e., claim 18, be examined with Group I. Claim 18 is drawn to a composition containing a polynucleotide of claim 13. Clearly, claims 13 and 18 share a special technical feature, i.e. the polynucleotide. As claim 13 is a member of Group I, it follows that a search for the polynucleotide in Group I will automatically cover search for the composition of Group II. Thus, there is no extra burden for the Examiner to search. In this connection, Applicant note that “[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.” See MPEP 803.

No fee is believed to be due. Please apply any other charges to Deposit Account No. 50-4189, referencing Attorney Docket No. 50046-003US1.

Respectfully submitted,

Date: 3-23-2009

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